

COUGHLIN DUFFY LLP
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*Attorneys for Defendants AstraZeneca Pharmaceuticals LP,
AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc.*

FILED

DEC 19 2007

Judge Jamie D. Happas

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| KAY MALONE, | : | SUPERIOR COURT OF NEW JERSEY |
| | : | LAW DIVISION: MIDDLESEX COUNTY |
| Plaintiff, | : | |
| | : | DOCKET NO. MID-L-1629-07-MT |
| v. | : | |
| | : | CIVIL ACTION |
| ASTRAZENECA | : | |
| PHARMACEUTICALS LP, et al., | : | In Re Risperdal/Seroquel/Zyprexa Litigation |
| | : | Case No. 274 |
| Defendants. | : | |
| | : | ORDER OF DISMISSAL |
| | : | |
| | : | RETURN DATE: <u>December 17, 2007</u> |
| | : | |


THIS MATTER having been brought before the Court by Coughlin Duffy LLP, attorneys for Defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Astra USA, Inc., KBI Sub Inc., and Zeneca Inc. (collectively "AstraZeneca") to dismiss plaintiff's Amended Complaint for failure to provide an executed acknowledgment and/or executed authorizations with the Short Form Plaintiff Fact Sheet pursuant to Case Management Order No. 4 ("CMO 4"), §§ II.B. and II.C.; the Court having considered the papers submitted; having heard the arguments of counsel, and having placed its ruling on the record at the December 17, 2007, Case Management Conference; and for good cause shown;

IT IS on this 19th day of December, 2007;

ORDERED that plaintiff's Amended Complaint is **DISMISSED** without prejudice; and it is further

ORDERED that, in the event that plaintiff fails to vacate this Order on or before March 16, ²⁰⁰⁸~~2007~~; AstraZeneca may move on notice to plaintiff for an Order of Dismissal with prejudice pursuant to the procedure set forth in R. 4:23-5(a)(2); and it is further

ORDERED that a signed copy of this Order be served on all counsel within seven (7) days of the date hereof.



Jamie D. Happs, J.S.C.

Unopposed
 Opposed